

## REMARKS

Claims 1-10, 16-24, 50-51, and 53-60 are pending in the application. Claims 25-28, 42-49, and 52 have been cancelled without prejudice or disclaimer. Claims 1, 8, 10, 16, 53, 54, 56, 59, 60, 61, and 62 have been amended. Claims 11-15 and 29-41 have been withdrawn. No new matter has been added.

### **35 U.S.C. §101**

The Office has rejected claims 8-10 and 59-60, under 35 U.S.C. §101. Claim 8 is amended to recite a processor to electronically request new usage rights, representing statutory subject matter. Accordingly, Applicants respectfully request withdrawal of the §101 rejections.

### **Claims 1-2, 4-5, and 53-57 are Allowable**

Applicants thank the Examiner for the interview of 25 June 2009, wherein a proposed amendment was discussed without agreement.

The Office has rejected claims 1-2, 4-5, and 53-57, under 35 U.S.C. §103(a), as being unpatentable over U.S. Patent No. 7,213,005 ("Maurad"), in view of U.S. Patent No. 6,822,663 ("Wang"). Applicants respectfully traverse the rejections.

The cited portions of Maurad and Wang do not disclose the specific combination of claim 1. For example, the cited portions of Maurad and Wang fail to disclose or suggest providing a set of new usage rights associated with a previously accessed media asset, wherein the new usage rights invalidate permission to play the previously accessed media asset at a first subscriber media device and validate permission to play the previously accessed media asset at a second subscriber media device, as in claim 1.

In contrast to claim 1, Maurad discloses enforcing digital rights by providing an asset to a user, only if the user has an authorized license, and enforcing usage according to the conditions of purchase or license of the asset. Maurad, Col. 10, ll. 19-20, 23-28. Maurad discloses that usage conditions can be added or narrowed as long as the original conditions are not invalidated. Maurad, col. 24, ll. 5-10. The cited portions of Maurad do not disclose or suggest a change in usage conditions that invalidate original conditions at the time of original purchase. Therefore, the cited portions of Maurad fail to disclose or suggest providing a set of new usage rights associated with a previously accessed media asset, wherein the new usage rights invalidate

permission to play the previously accessed media asset at a first subscriber media device and validate permission to play the previously accessed media asset at a second subscriber media device, as in claim 1.

In further contrast to claim 1, Wang discloses transforming a web page for display on a web-enabled device. Wang, abstract. The device type is selected by a user. Wang, col. 9, ll. 30-42. The cited portions of Wang do not disclose or suggest changing a device type for a previously accessed media asset. Therefore, the cited portions of Wang fail to disclose or suggest providing a set of new usage rights associated with a previously accessed media asset, wherein the new usage rights invalidate permission to play the previously accessed media asset at a first subscriber media device and validate permission to play the previously accessed media asset at a second subscriber media device, as in claim 1.

Therefore, the cited portions of Maurad and Wang, individually or in combination, fail to disclose or suggest the specific combination of claim 1. Hence, claim 1 is allowable. Claims 2, 4-7, and 53-57 are allowable, at least by virtue of their dependence from claim 1.

#### **Claims 3, 6, and 7 are Allowable**

The Office has rejected claims 3, 6 and 7, under 35 U.S.C. §103(a), as being unpatentable over Maurad, in view of Wang, and further in view of U.S. Patent No. 7,290,288 (“Gregg”). Applicants respectfully traverse the rejections.

Claims 3, 6, and 7 depend from claim 1. As explained above, the cited portions of Maurad and Wang fail to disclose or suggest at least one element of claim 1. The cited portions of Gregg fail to disclose or suggest the elements of claim 1 not disclosed or suggested by the cited portions of Maurad and Wang. For example, the cited portions of Gregg fail to disclose or suggest providing a set of new usage rights associated with a previously accessed media asset, wherein the new usage rights invalidate permission to play the previously accessed media asset at a first subscriber media device and validate permission to play the previously accessed media asset at a second subscriber media device, as in claim 1. In contrast to claim 1, Gregg discloses providing a single sign on identity service. Gregg, col. 1, ll. 55-60. The cited portions of Gregg fail to disclose or suggest providing new usage rights associated with a previously accessed media asset. Therefore, the cited portions of Maurad, Wang, and Gregg, individually or in combination, fail to disclose or suggest at least one element of claim 1, from which claims 3, 6,

and 7 depend. Hence, claims 3, 6, and 7 are allowable, at least by virtue of their dependence from an allowable claim.

**Claim 58 is Allowable**

The Office has rejected claim 58, under 35 U.S.C. §103(a), as being unpatentable over Maurad, in view of Wang, and further in view of U.S. Patent No. 7,203,966 (“Aburri”). Applicants respectfully traverse the rejection.

Claim 58 depends from claim 1. As explained above, the cited portions of Maurad and Wang fail to disclose or suggest at least one element of claim 1. The cited portions of Aburri fail to disclose or suggest the elements of claim 1 not disclosed or suggested by the cited portions of Maurad and Wang. For example, the cited portions of Aburri fail to disclose or suggest providing a set of new usage rights associated with a previously accessed media asset, wherein the new usage rights invalidate permission to play the previously accessed media asset at a first subscriber media device and validate permission to play the previously accessed media asset at a second subscriber media device, as in claim 1. In contrast to claim 1, Aburri discloses a removeable memory for a personal computer. Aburri, col. 7, ll. 27-35. The cited portions of Aburri fail to disclose or suggest providing new usage rights associated with a previously accessed media asset. Therefore, the cited portions of Maurad, Wang, and Aburri, individually or in combination, fail to disclose or suggest at least one element of claim 1, from which claims 3, 6, and 7 depend. Hence, claims 3, 6, and 7 are allowable, at least by virtue of their dependence from an allowable claim.

**Claim 8-10 and 59-60 is Allowable**

The Office has rejected claims 8-10 and 59-60, under 35 U.S.C. §103(a), as being unpatentable over Aburri, in view of Wang. Applicants respectfully traverse the rejections.

The cited portions of Aburri and Wang do not disclose the specific combination of claim 8. For example, the cited portions of Aburri and Wang fail to disclose or suggest requesting new usage rights that invalidate permission to play a previously accessed media asset at a first subscriber media device and validate permission to play the previously accessed media asset at a second subscriber media device, as in claim 8.

In contrast to claim 8, Aburri discloses a removeable memory for a personal computer. Aburri, col. 7, ll. 27-35. The cited portions of Aburri fail to disclose or suggest providing new usage rights associated with a previously accessed media asset. Therefore, the cited portions of Aburri fail to disclose or suggest requesting new usage rights that invalidate permission to play a previously accessed media asset at a first subscriber media device and validate permission to play the previously accessed media asset at a second subscriber media device, as in claim 8.

In further contrast to claim 8, Wang discloses transforming a web page for display on a web-enabled device. Wang, abstract. The device type is selected by a user. Wang, col. 9, ll. 30-42. The cited portions of Wang do not disclose or suggest changing a device type for a previously accessed media asset. Therefore, the cited portions of Wang fail to disclose or suggest requesting new usage rights that invalidate permission to play a previously accessed media asset at a first subscriber media device and validate permission to play the previously accessed media asset at a second subscriber media device, as in claim 8.

Therefore, the cited portions of Aburri and Wang, individually or in combination, fail to disclose the specific combination of claim 8. Hence, claim 8 is allowable. Claims 9-10 and 59-60 are allowable, at least by virtue of their dependence from claim 8.

#### **Claims 16-24, 50, and 61-62 are Allowable**

The Office has rejected claims 16-24, 50, and 61-62, under 35 U.S.C. §103(a), as being unpatentable over Wang, in view of Aburri. Applicants respectfully traverse the rejections.

The cited portions of Wang and Aburri do not disclose or suggest the specific combination of claim 16. For example, the cited portions of Wang and Aburri fail to disclose or suggest authorization of new usage rights that invalidate permission to play a previously accessed media asset at a first subscriber media device and validate permission to play the previously accessed media asset at a second subscriber media device, as in claim 16.

In contrast to claim 16, Wang discloses transforming a web page for display on a web-enabled device. Wang, abstract. The device type is selected by a user. Wang, col. 9, ll. 30-42. The cited portions of Wang do not disclose or suggest changing a device type for a previously accessed media asset. Therefore, the cited portions of Wang fail to disclose or suggest authorization of new usage rights that invalidate permission to play a previously accessed media

asset at a first subscriber media device and validate permission to play the previously accessed media asset at a second subscriber media device, as in claim 16.

In further contrast to claim 16, Aburri discloses a removeable memory for a personal computer. Aburri, col. 7, ll. 27-35. The cited portions of Aburri fail to disclose or suggest providing new usage rights associated with a previously accessed media asset. Therefore, the cited portions of Aburri fail to disclose or suggest authorization of new usage rights that invalidate permission to play a previously accessed media asset at a first subscriber media device and validate permission to play the previously accessed media asset at a second subscriber media device, as in claim 16.

Therefore, the cited portions of Wang and Aburri, individually or in combination, fail to disclose the specific combination of claim 16. Hence, claim 16 is allowable. Claims 17-24, 50, and 61-62 are allowable, at least by virtue of their dependence from claim 16.

#### **Claim 51 is Allowable**

The Office has rejected claim 51, under 35 U.S.C. §103(a), as being unpatentable over Wang, in view of Aburri, and in view of Maurad. Applicants respectfully traverse the rejection.

Claim 51 depends from claim 16. As explained above, the cited portions of Wang and Aburri fail to disclose or suggest at least one element of claim 16. The cited portions of Maurad fail to disclose or suggest the elements of claim 16 not disclosed or suggested by the cited portions of Wang and Aburri. For example, the cited portions of Maurad fail to disclose or suggest authorization of new usage rights that invalidate permission to play a previously accessed media asset at a first subscriber media device and validate permission to play the previously accessed media asset at a second subscriber media device, as in claim 16. In contrast to claim 16, Maurad discloses enforcing digital rights by providing an asset to a user, only if the user has an authorized license, and enforcing usage according to the conditions of purchase or license of the asset. Maurad, Col. 10, ll. 19-20, 23-28. Maurad discloses that usage conditions can be added or narrowed as long as the original conditions are not invalidated. Maurad, col. 24, ll. 5-10. The cited portions of Maurad do not disclose or suggest authorization of new usage rights that invalidate permission to play a previously accessed media asset at a first subscriber media device and validate permission to play the previously accessed media asset at a second subscriber media device, as in claim 16. Therefore, the cited portions of Wang, Aburri, and

Maurad, individually or in combination, fail to disclose or suggest at least one element of claim 16, from which claim 51 depends. Hence, claim 51 is allowable, at least by virtue of its dependence from an allowable claim.

### CONCLUSION

Applicants have pointed out specific features of the claims not disclosed, suggested, or rendered obvious by the cited portions of the references as applied in the Office Action. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the objections and rejections, as well as an indication of the allowability of each of the pending claims.

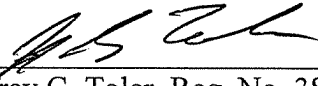
Any changes to the claims in this response, which have not been specifically noted to overcome a rejection based upon the cited art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

6-26-2009  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Jeffrey G. Toler, Reg. No. 38,342  
Attorney for Applicants  
TOLER LAW GROUP, INTELLECTUAL PROPERTIES  
8500 Bluffstone Cove, Suite A201  
Austin, Texas 78759  
(512) 327-5515 (phone)  
(512) 327-5575 (fax)